



Concealed Weapon Courier

Arizona Department of Public Safety

Concealed Weapons Permit Unit

"Carry Responsibly, Carry Informed"

Volume 3, Issue 1

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It's been awhile...

We're sure some of you have been wondering where we have been and why we haven't published a newsletter in a while. So we would like to take a moment to update you on some personnel changes that have occurred within the unit over the past several months.

Former CWPU Supervisor, Ms. Rene Wilson, was promoted to Administrative Manager in June 2007 and accepted a position in the Criminal History Records Section. Rene has continued to offer support and guidance to the Concealed Weapons Permit unit during the transition.

Ms. Ann Haas, Administrative Assistant, fulfilled the role as the Acting Supervisor for the Concealed Weapons Permit unit from June through mid November. Ann did a fantastic job and made the transition between supervisors seamless in regards to the operations of the unit.

Ms. Donna Street was promoted to Administrative Supervisor in November 2007 and accepted the supervisory position for the Concealed Weapons Permit unit. Although Donna is new to the CWPU she has been with the Department for over 19 years and previously held the position of Police Communications Supervisor for the past 10 years.

The CWPU staff would like to remind all instructors to inform their customers that cash and/or personal checks are not accepted. Applications received with cash and/or personal checks will be returned. Cashier's check, certified check or money orders made payable to AZ DPS are the only accepted forms of payment.

CWPU Success Story

The Concealed Weapons Permit Unit (CWPU) continues to see an increase in active permit holders. In January the unit processed 1,760 new permits and 2,960 renewal permits. This is double the amount of renewals typically processed in any given month. The increase in numbers can be contributed to the fact that beginning January 1, 2008 a fingerprint card is no longer required when submitting the renewal application and the fee was reduced to \$43.00. The 100,000 mark for active permit holders was attained. In February the trend continued, the unit processed 2,224 new applications and 1,572 renewals!

As of March 31, 2008 more than 104,000 active Arizona CCW permits exist. A breakdown of the statistics can be viewed on the web site at azdps.gov/ccw.

Thank you for your continued support of the program! We continue to strive to offer the outstanding customer service you have come to know.

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instructors are subject to renewal. The purpose of the renewal process is to confirm the status of each instructor, to ensure accurate contact information is on file and that the instructors have current materials. For more information visit the DPS web site or call one of our customer service representatives.

Concealed Weapons Advisory Council

On February 8th and March 21st Concealed Weapons Advisory Council members met with the Supervisory staff of the Concealed Weapons Permit unit. Information was shared regarding the proposed legislature affecting the concealed weapons laws, the impact the proposed legislation may have on permit holders and the overall operations of the unit.

Several members of the Advisory Council have begun development of a lesson plan which will be utilized to provide on-going, advanced training to concealed weapons permit instructors throughout the state. Once the lesson plan is finalized, dates and locations for the training will be announced.

Michael Anthony has provided an updated version of the Legal Issues Relating to the Use of Deadly Force which is now available on the DPS web site. The instructor's CD with the new version will be updated. Current instructors can visit the web site to obtain the latest update. This version is 12.2 dated January 2008.

Thank you to the members of the Advisory Council for your continued support of the program and your expertise!

Advisory Council Members:

Terry Allison	Ed Schein
Michael Anthony	Arnie Stallman
Mark Fricke	Carl Welch
Tom Krieg	Ken Woodward

What is NICS?

Members of the Concealed Weapon Permit Unit (CWPU) are often asked about "NICS" and what makes a person a "federal prohibited possessor". The following information is offered to facilitate a better understanding.

Background – NICS

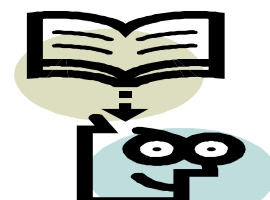
The Brady Handgun Violence Prevention Act (Brady Act) of 1993 required the U.S. Attorney General to establish the National Instant Criminal Background Check System (NICS). The NICS Index, a national database managed by the Federal Bureau of Investigation (FBI), was fully implemented on November 30, 1998. The NICS Index contains records contributed by local, state and federal agencies on federally prohibited individuals including information pertaining to illegal aliens, mental health defectives and involuntary commitments, controlled substance abusers and others.

The Concealed Weapon Permit Unit (CWPU) conducts checks into the National Instant Criminal Background Check System (NICS). These checks assist in determining if an applicant for a Concealed Weapon Permit is a prohibited possessor in accordance with United States Code, Title 922(d). The authority for this is found in Arizona Administrative Code, Title 13, Chapter 9 (R13-9-201).

Information contained on page three further explains eligibility requirements to possess a concealed carry permit and the criteria utilized to determine if an individual is a state and/or federal prohibited possessor.

Upcoming NICS Training

Members of the NICS Training team will be visiting Arizona on April 23, 2008. The team will provide information to CWPU staff on federal firearm prohibitors; alien/immigration issues; military dispositions, and research strategies.



CCW Eligibility

CCW applicants must:

- be a resident of this state or a United States citizen;
- be twenty-one years of age or older;
- not be under indictment for and not been convicted in any jurisdiction of a felony;
- not suffer from mental illness and been adjudicated mentally incompetent or committed to a mental institution;
- not be unlawfully present in the United States;
- satisfactorily complete a firearms safety training program approved by the department of public safety pursuant to A.R.S. §13-3112.O.

State Prohibitors

A.R.S. §13-3101(6) - Prohibited possessor means any person -

- a. who has been found to constitute a danger to himself or to others pursuant to court order under section 36-540, and whose court ordered treatment has not been terminated by a court;
- b. who has been convicted within or without this state of a felony or who has been adjudicated delinquent and whose civil right to possess or carry a gun or firearm has not been restored;
- c. who is at the time of possession serving a term of imprisonment in any correctional facility or detention facility;
- d. who is at the time of possession serving a term of probation pursuant to a conviction for a domestic violence offense as defined in section 13-3601 or a felony offense, parole, community supervision, work furlough, home arrest or release on any other basis or who is serving a term of probation or parole pursuant to the interstate compact under title 31, chapter 3, article 4;
- e. who is a prohibited possessor under 18 United States Code 922(g)(5), except as provided by 18 United States Code 922(y).

Federal Prohibitors

United States Code, Title 18, Section 922(d) states "it shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person -

- (1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;
- (2) is a fugitive of justice;
- (3) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substance Act (21 United States Code 802));
- (4) has been adjudicated as a mental defective or has been committed to any mental institution;
- (5) who, being an alien-
 - (A) is illegally or unlawfully in the United States; or
 - (B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Naturalization Act (8 United States Code 1101(a)(26))).
- (6) who has been discharged from the Armed Forces under dishonorable conditions;
- (7) who, having been a citizen of the United States, has renounced his citizenship;
- (8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that -
 - (A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and
 - (B) expected to cause bodily injury;
 - (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
 - (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;
- (9) has been convicted in any court of a misdemeanor crime of domestic violence.

Upcoming changes....

Changes to the courtesy renewal letters, renewal application form and new permit application packets are in process. The changes will result in cost savings and process improvements. The changes will become effective in May.

The renewal application will be printed on a standard 8 ½ X 11 sheet of paper which will be folded and placed inside a pre-addressed return envelope for your convenience. Complete the application, enclose a cashier's check or money order, affix postage and return it to the unit for processing.

Use of the 8 ½ X 11 envelopes currently utilized to submit new permit applications will be discontinued. An 8 1/8 X 8 1/8 envelope that will accommodate the fingerprint card, a folded application and your cashier's check or money order will be utilized. Please remember to affix the correct postage.

Current fees for various permits and services can be obtained by visiting our web site www.azdps.gov/ccw and clicking on the Fee Schedule link.



Reciprocal and Recognition Agreements

Arizona and any political subdivision of Arizona shall recognize a concealed weapon, firearm or handgun permit or license that is issued by another state or a political subdivision of another state if both:

1. The permit or license is recognized as valid in the issuing state.
2. The permit or license holder is all of the following:
 - (a) Not a resident of this state.
 - (b) Legally present in this state.
 - (c) Not legally prohibited from possessing a firearm in this state.

A person with a concealed weapons permit from another state may not carry a concealed weapon in Arizona if the person is under twenty-one years of age or is under indictment for, or has been convicted of, a felony offense in any jurisdiction, even if the person's rights have been restored and the conviction is expunged, set-aside or vacated.

Arizona recognizes valid permits from all other states. However, some states require written agreements in order for them to recognize our state. For the purpose of establishing mutual permit or license recognition with other states, the Department of Public Safety shall enter into a written agreement if another state requires a written agreement. This means your Arizona permit allows you to carry concealed under their respective state statute and Arizona will reciprocate by honoring CCW permits issued by those states. See page 5 for a current list of reciprocal/recognizing states.

It is extremely important that all Arizona permit holders be aware of the CCW requirements and laws of all reciprocating/recognizing states. An Arizona CCW permit does not supersede any other state's law or CCW requirements. Persons carrying an Arizona permit are subject to the laws of the state they are visiting.

If you are an Arizona permit holder traveling to another state and wish to carry a concealed weapon using your Arizona permit, contact that state directly to confirm their recognition status before carrying concealed weapons there.

State	Written Reciprocity With Arizona	Recognizes Arizona Without Written Reciprocity	Does Not Recognize Arizona
Alabama		X	
Alaska	X		
Arkansas	X		
California			X
Colorado		X	
Connecticut			X
Delaware		X	
Florida		X	
Georgia		X	
Hawaii			X
Idaho	X		
Illinois			X
Indiana		X	
Iowa			X
Kansas		X	
Kentucky		X	
Louisiana		X	
Maine			X
Maryland			X
Massachusetts			X
Michigan		X	
Minnesota			X
Mississippi	Pending		
Missouri		X	
Montana		X	
Nebraska			X
Nevada			X
New Hampshire		X	
New Jersey			X
New Mexico		X	
New York			X
North Carolina		X	
North Dakota		X	
Ohio	X		
Oklahoma		X	
Oregon			X
Pennsylvania	X		
Puerto Rico			X
Rhode Island			X
South Carolina	Pending		
South Dakota	X		
Tennessee		X	
Texas	X		
Utah		X	
Vermont			X
Virginia		X	
Washington			X
West Virginia	X		
Wisconsin			X
Wyoming		X	

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